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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/061,833	04/16/1998	ROBERT WESLEY BOSSEMEYER JR.	A00394(AMT-9	2161

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BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER

ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary	Application No. 09/061,833	Applicant(s) BOSSEMEYER ET AL.	
	Examiner Ovidio Escalante	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-10,22,23 and 25-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-10,22,23 and 25-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is in response to applicant's amendment filed on February 28, 2002. **Claims 1-4,6-10,22,23,25-30** are now pending in the present application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1,22 and 30 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The derived lines technique which can divide one of the lines in two and create three lines when there are only two telephone lines is not described in the specification in such a way to enable one of ordinary skill in the art to make or use the invention.

Page 16 of the specification teaches of compressing down link and up link channels using a time division multiplexing scheme so that new time slots can be created. This is also shown in figure 13 of applicants invention in which e.g. the up channel "u" is compressed by a factor of $\frac{1}{2}$ which will then allow two channels "u₁" and "u₂" to be created and therefore will allow multiple devices to use the same line. There is no support in the specification for creating lines as stated on page 16 with dividing one of the lines in two to create three lines.

The Examiner acknowledges that one of ordinary skill in the art would have known how to create channels within a line using time division multiplexing however, one of ordinary skill

in the art would not have been enabled to create the claimed "lines" given the description of the derived lines technique on page 16.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1,6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry et al. US Patent 5,768,356 in view of Snelling et al. US Patent 6,058,104 and further in view of Smith, Jr. US Patent 6,125,127 (hereinafter Smith) and Applicant's admitted prior art.

Regarding claim 1, McKendry teaches of a user programmable call manager (PCAM) device which routes incoming calls with a specific caller ID to various extensions such as a remote phone or to a telephone answering service.

McKendry further teaches of a home gateway system comprising:

a voice processing system (PCAM 100; answering machine 131, fig. 1) coupled to a service entrance (191) which is connected via landline connection to the public switch network (90), the voice processing system is capable of storing a message from an incoming call (fig. 1, fig. 3, col. 14, lines 13-18);

a conference call bridge (fig. 4, col. 25 lines 16-18);

a caller identification processing system (330, fig. 3), the caller identification processing system determining a telephone number of the incoming call and routing the incoming call to the voice processing system if the telephone number belongs to a screened group of telephone numbers (col. 6, lines 57-65, col. 29, lines 21-34).

McKendry does not specifically teach using a wireless local loop link and having a transceiver coupled to the voice processing system and to the caller identification processing system since the service entrance of McKendry, which establishes a landline connection, is connected to the caller ID and voice processing system.

Snelling teaches of a fixed wireless terminal with a transceiver (NCU 100; Network Interface 650) which is attached to a residence (fig. 1; col. 7, lines 26-36) which is capable of establishing a wireless local loop point to point link to a geographically separated, non-mobile base station (col. 6, lines 50-64) which is connected to the PSTN, (the NCU 100 communicates with the PSTN via a wireless protocol). Snelling further teaches that the transceiver is connected to a multiplexer for passing signals from the NCU to the wireless devices in the user's premise, (col. 6, lines 24-40; col. 11, lines 26-41). In col. 11, lines 26-41, Snelling teaches the multiplexer in the transceiver is used to allow the remote unit in the home of Snelling to communicate with the PSTN.

McKendry and Snelling do not specifically teach of performing a derived lines process by the transceiver.

Smith teaches that it was well known in the art to have a system that is capable of using time division multiplexing to create channels (derived lines process) so that more than one device can use a single line, (col. 5, lines 17-31). Also as admitted by the applicant the extremely well known time division multiplexing scheme is capable of having up-links of a line that transmits during one time slot and a down-link that transmits during a second time slot. Applicant further states that it was well known that time division multiplexing uses data compression. Therefore, the time division multiplexing technique of Smith is capable of

performing a derived lines process since the system creates channels within a line using time division multiplexing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the home gateway system of McKendry by replacing the service entrance switch with a fixed wireless local loop connection, as taught by Snelling, so that the connection between the users home and PSTN can be less expensive and by having wireless connectivity between the PSTN and residence, the need to rewire residences in order to accommodate new standards and services will be eliminated.

It would have also been obvious for one of ordinary skill in the art at the time the invention was made to further modify the home gateway system of McKendry and Snelling by using the derived lines procedure of Smith and applicants admitted prior art so that multiple devices such as a telephone and computer can be used at the same time if only one line is available.

Regarding claim 6, McKendry teaches of a controller capable of redirecting the incoming call to a predetermined forwarded telephone number, (col. 2, lines 46-48; col. 7 lines 64-67). As stated above by Snelling, it would have been obvious to connect the controller to a transceiver to establish a wireless local loop connection.

Regarding claim 8, McKendry and Snelling, as applied above, teaches the system includes a router coupled to a transceiver. McKendry teaches that routers are well known in the prior art and are used for routing calls to various extensions (col. 3, line 61 – col. 4 line 3). The Examiner notes that since the PCAM of McKendry routes calls to various locations in the user's

premise then it is inherent that the PCAM has a router since the PCAM routes calls to various extensions.

As stated above, it would have been obvious to have the router coupled to a transceiver if the system establishes a wireless local loop connection as taught above with Snelling.

6. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry in view of Snelling and further in view of Smith and applicants admitted prior art and further in view of Shen U.S. Patent 5,812,649.

Regarding claim 2, while McKendry, Snelling and Smith teach of having a caller identification system, they do not expressly teach of a processor determining if an incoming call is received during an existing call and posting an indicia of the incoming call to a user when the incoming call is received during the existing call.

Shen teaches of a method for supporting spontaneous call waiting ID service. Shen further teaches the well-known feature of posting a caller name on a display when the user is on the line, (col. 2, lines 26-39).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McKendry, Snelling and Smith by having Caller Identification on Call Waiting (SCWID) as taught by Shen so that the user can see who is calling when the line is in use.

Regarding claims 3 and 4, McKendry discloses of the voice processing system including a controller for detecting the incoming call and directing the system to play a plurality of options to a caller (col. 5, lines 16-20). If the system is able to play a plurality of options to the caller it

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inherently must have a speech synthesizer. The caller can have the option of routing the call to any of the local extensions on the user's premise.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry in view of Snelling and further in view of Smith and Applicants admitted prior art and further in view of Hylton US Patent 5,793,413.

Regarding claim 7, McKendry, Snelling and Smith, as applied above, do not specifically teach of using a smart card.

Hylton teaches of using a smart card in a home system that is connected by means of a fixed wireless local loop connection, (col. 28, lines 36-40; col. 33, lines 18-35). The smart card is used to transmit user data into the system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McKendry, Snelling and Smith by using a smart card as taught by Hylton so that so that a users may communication personal information through a processor and broadband network to a receiving party. For example Hylton teaches of a user transmitting personal medical information which is stored in the smart card to a medical information database.

8. Claims 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry in view of Snelling and further in view of Smith and applicant's admitted prior art and further in view of Sizer, II et al. U.S. Patent 6,021,324 (hereinafter Sizer).

Regarding claims 9 and 10, McKendry, Snelling and Smith, as applied above, do not expressly teach of a security system and a television processing system coupled to a router.

Sizer teaches of a system and apparatus for controlling appliances situated within a premise. The system has a television processing system (col. 4, lines 44-58; the television system displays the telephone message and prompts received from the television processing system) and a home security system, (col. 1, lines 52-56 and figure 1). The system of Sizer allows a user to control various appliances in the house from a remote location using voice recognition as well as controlling the security system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McKendry and Snelling by having a television processing system and a home security system so that the caller ID information or messages can be displayed to the user on the television without requiring the user to look at the caller ID terminal when they are watching TV and so that the user can remotely control various appliances around the house from a remote location. For example, a user is able to turn on or off the security system from a remote telephone.

9. Claims 22, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry US Patent 5,768,356 in view of Smith and Applicant's admitted prior art.

Regarding claim 22, McKendry teaches of a switch (personal call manager – PCAM, fig. 1 and fig. 3) connected to an external telephony channel (trunk lines 110-1, 110-2) and an internal telephony channel (extensions 121-1, 121-2, 121-n):

a processor (PCAM controller 310, call handling detectors 360), (col. 19, lines 51-59, 64-67 and col. 5, lines 56-63), connected to the switch (PCAM 100), the processor (PCAM controller 310) sending and receiving messages from the switch, (col. 5, lines 56-63), (The

controller PCAM controller 310, uses a call handler operation to route, handle, and monitor telephone calls.); .

a conference call bridge connected to the switch, (fig. 4, col. 25, lines 16-20); and
a caller identification (330, fig. 3) system receiving an identify query from the processor, (col. 21, lines 51-58).

McKendry does not specifically teach of a derived lines process which allocates bandwidth among plural devices.

Smith teaches that it was well known in the art to have a system that is capable of using time division multiplexing to create channels so that more than one device can use a single line, (col. 5, lines 17-31). Also as admitted by the applicant the extremely well known time division multiplexing scheme is capable of having up-links of a line that transmits during one time slot and a down-link that transmits during a second time slot. Applicant further states that it was well known that time division multiplexing uses data compression. Therefore the time division multiplexing technique of Smith is capable of performing a derived lines process since the system creates channels within a line using time division multiplexing.

It would have also been obvious for one of ordinary skill in the art at the time the invention was made to further modify the home gateway system of McKendry by using the derived lines procedure of Smith and applicants admitted prior art so that multiple devices such as a telephone and computer can be used at the same time if only one line is available.

Regarding claim 23, McKendry teaches of a voice processing system (answering machine 131, fig. 1) coupled to the processor (PCAM), the voice processing system capable of storing a voice mail, (fig. 1, col. 10, lines 4-5).

Regarding claim 25, McKendry discloses of a router coupled to the switch, (col. 3, line 61 – col. 4 line 3). McKendry also discloses that routers are used are used for directing calls to telephone instruments in a user premise. Therefore since, the PCAM (router) routes calls through the user premise, McKendry inherently has a router coupled to the switch with the PCAM.

10. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable McKendry in view of Smith and further in view of Hylton US Patent 5,793,413.

Regarding claim 26, McKendry and Smith, as applied above, do not expressly disclose of a smart card interface connected to the processor.

Hylton teaches of a smart card interface connected to the processor, (col. 28, lines 36-40). The smart card is used to transmit user data into the system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McKendry by using a smart card as disclosed by Hylton so that so that users may communication personal information through a processor and broadband network to a receiving party. For example, Hylton teaches of a user transmitting personal medical information that is stored in the smart card to a medical information database.

11. Claims 27-28 is rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry in view of Smith and further in view of Hylton and further in view of Sizer, II et al. US Patent 6,021,324, (hereinafter Sizer).

Regarding claims 27 and 28, McKendry, Smith, Brakefield and Hylton, as applied above, fail to teach of using a television processing system and a home security system.

Sizer teaches of a system and apparatus for controlling appliances situated within a premise. The system has a television processing system (col. 4, lines 44-58) and a home security

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system, (col. 1, lines 52-56 and figure 1). The system of Sizer allows a user to control various appliances in the house from a remote location using voice recognition.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McKendry and Snelling by having a television processing system and a home security system so that the caller ID information or messages can be displayed to the user on the television without requiring the user to look at the caller ID terminal when they are watching TV and so that the user can remotely control various appliances around the house from a remote location.

12. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over McKendry in view of Smith and further in view of Hylton and further in view of Sizer and further in view of Gorman US 6,141,356.

Regarding claim 29, while McKendry, Smith, Hylton and Sizer teach of a system that connects to a PSTN line via a landline connection they failed to teach of including a wireless local loop transceiver connecting to the external telephony channel.

Gorman teaches of a method for distributing high-speed data information using plain old telephone services voice signals throughout a user premise. Gorman further teaches of a fixed wireless local loop transceiver connected to the external telephony channel, (Figs 1 and 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the home system of McKendry, Smith, Hylton and Sizer by establishing a wireless local loop connection as taught by Gorman so that the connection between the users home and PSTN can be less expensive and by having wireless connectivity

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between the PSTN and residence, the need to rewire residences in order to accommodate new standards and services will be eliminated.

13. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sizer in view of Snelling and further in view of Hylton and further in view of Smith and applicants admitted prior art.

Regarding claim 30, Sizer discloses of a home gateway system comprising:

a switch (80);

a processor (microprocessor – 32) connected to the switch receiving a query from the switch and sending a response to the switch (col. 9, lines 10-22);

a caller identification system (50) connected to the processor (32), the caller identification system coupled to a display (44), (col. 4, lines 59-67);

a home automation and security system, capable of sending and receiving a message through the telephony network (col. 1, lines 52-56); and a television processing system (12) connected to the router and receiving a television signal, the television processing system capable of sending an information to a television. . (Fig. 1, col. 4, lines 43-58).

Sizer does not expressly teach of a conference call bridge being connected to the switch or of a wireless transceiver attached to a home, capable of establishing a wireless local loop point to point link with a geographically separated non-mobile base station.

Snelling teaches of conference calling (col. 9, lines 19-29) being connected to a switch. It would have been obvious to allow the system of Sizer to use conference calls so that a user to make conference calls or three way calls.

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of a fixed wireless terminal with a transceiver (NCU 100; Network Interface 650) which is attached to a residence (fig. 1; col. 7, lines 26-36) which is capable of establishing a wireless local loop point to point link to a geographically separated, non-mobile base station (col. 6, lines 50-64) which is connected to the PSTN, (the NCU 100 communicates with the PSTN via a wireless protocol). Snelling further teaches that the transceiver is connected to a multiplexer for passing signals from the NCU to the wireless devices in the user's premise, (col. 6, lines 24-40; col. 11, lines 26-41). In col. 11, lines 26-41, Snelling teaches the multiplexer in the transceiver is used to allow the remote unit in the home of Snelling to communicate with the PSTN.

It would have been obvious to allow for the home gateway system of Sizer to have a wireless local loop connection as taught by Snelling so that the connection between the users home and PSTN can be less expensive and by having wireless connectivity between the PSTN and residence, the need to rewire residences in order to accommodate new standards and services will be eliminated.

Sizer and Snelling do not specifically teach of using a smart card. Hylton discloses of a wireless connection (see figure 2) to a device wherein the device has smart card, (col. 28, lines 36-45).

Sizer, Snelling and Hylton do not specifically teach of performing a derived lines process.

Smith teaches that it was well known in the art to have a system that is capable of using time division multiplexing to create channels (derived lines process) so that more than one device can use a single line, (col. 5, lines 17-31). Also as admitted by the applicant the extremely well known time division multiplexing scheme is capable of having up-links of a line that

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transmits during one time slot and a down-link that transmits during a second time slot.

Applicant further states that it was well known that time division multiplexing uses data compression. Therefore the time division multiplexing technique of Smith is capable of performing a derived lines process since the system creates channels within a line using time division multiplexing.

It would have also been obvious for one of ordinary skill in the art at the time the invention was made to further modify the home gateway system Sizer by using the derived lines procedure of Smith and applicants admitted prior art so that multiple devices such as a telephone and computer can be used at the same time if only one line is available.

It would have also been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sizer by allowing the user to establish a conference call as taught by Snelling so that the user can have three-way calling. It would have also been obvious to further modify the system of Sizer by establishing a wireless local loop connection as taught by so that the connection between the users home and PSTN can be less expensive and by having wireless connectivity between the PSTN and residence, the need to rewire residences in order to accommodate new standards and services will be eliminated. Finally, it would have been obvious to further modify the system of Sizer and Snelling by using a smart card in the home gateway system as taught by Hylton so that users may communicate personal information through a processor and broadband network to a receiving party. For example Hylton teaches of a user transmitting personal medical information that is stored in the smart card to a medical information database.

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Response to Arguments

14. Applicant's arguments with respect to claims 1-4,6-10,22,23,25-30 have been considered but are moot in view of the new ground(s) of rejection.

15. Applicant's arguments filed February 26, 2002 regarding the 112 1st paragraph rejection have been fully considered but they are not persuasive.

Applicants state that one of ordinary skill in the art would understand the technique of creating lines for the derived lines process. The Examiner respectfully disagrees.

According to page 16 of the specification the applicants state of creating lines. The applicant further states of compressing time slots by a factor of $\frac{1}{2}$ so that new time slots (channels) can be created or derived from the line. This is also shown in figure 13 in which each up and down channel is compressed so that a new channel (time slot) can be created.

The Examiner maintains that the specification does not create lines but merely creates new channels within a line. Therefore "the derived lines process" is not described in the specification as to enable one of ordinary skill in the art to make or use the invention since a line is never created and applicants' specification does not describe how a line is created.

Conclusion

16. Any response to this action should be mailed to:

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or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist).

17. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.
The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group
is (703) 872-9314.

Communications via Internet e-mail regarding this application, other than those under 35
U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO
employees do not engage in Internet communications where there exists a possibility that
sensitive information could be identified or exchanged unless the record includes a properly
signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Ovidio Escalante
Examiner
Group 2645
June 3, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

